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UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) CR. No. S 00-0161 MCE
Plaintiff,) **UNOPPOSED MOTION FOR ORDER**
V.) **EXTENDING TIME FOR**
ALFREDO TOBAR, JR.,) **DEFENDANT'S SELF SURRENDER;**
Defendants.) **PROPOSED ORDER**

The United States hereby requests that the defendant's date of self-surrender to commence serving his sentence from August 2, 2005, until noon on October 4, 2005. The reason for the request is that government counsel has been informed by Contra Costa County Deputy District Attorney Patrick Vanier that defendant Tobar is needed for a state court trial which is scheduled to commence in mid-September and should be finished before the end of the month. That trial had previously been scheduled for this month (July) but has been continued. I have contacted the U.S. Bureau of Prisons about the feasibility of bringing the defendant back for the trial and have been informed that the difficulties and costs involved in bringing the defendant back and forth from his designated institution in-custody to attend the state court proceedings, are substantial and costly. Given the relatively short sentence received by the defendant, it is preferable to simply continue his self-surrender date rather than to attempted to move him back and forth from state custody.

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1 I have contacted the attorney for defendant Tobar, Timothy Zindel, Esq., and neither he nor
2 his client has an objection to the government's request.

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4 DATED: July 29, 2005

5 McGREGOR W. SCOTT
6 United States Attorney

7 By: /s/
8 RICHARD J. BENDER
Assistant U.S. Attorney

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10 O R D E R
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12 It is so ORDERED, this 29th day of July, 2005.

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16 MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE
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